

**Jane Joyce Rice  
9 Pleasant Valley Lane  
Sheridan, Wyoming 82801**

FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING

DEC 13 2007

Stephan Harris, Clerk  
Cheyenne

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF WYOMING**

**United States of America,**

**Plaintiff,**

**v.**

**Jane Joyce Rice; Water Garden, Inc.;  
Perpetual Legacy Corp.; Carte Blanche  
Trust; & Newport Pacific Trust Co, Ltd;**

**Defendants,**

**Civil No. 07CV019-B**

**DEFENDANT RICE'S MOTION TO STRIKE PLAINTIFF'S MOTION  
FOR ENTRY OF DEFAULT AND TO VACATE, SET ASIDE, AND VOID  
CLERK'S ENTRY OF DEFAULT**

I, Jane Rice, move this Court to vacate and set aside Clerk's entry of default against me.

1. On June 29, 2007, though the Plaintiff argues that I failed to tender an answer, in lieu of a responsive pleading a motion to reconsider this court's denial of my Amended Motion to Quash and for findings of fact and conclusions of law

or in the alternative, pursuant to 28 U.S.C. §1292(b), to certify for immediate appeal the issues encompassed by my Amended Motion to Quash and supporting memorandum was tendered to the court in lieu of an responsive pleading.

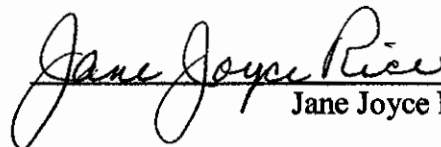
2. Plaintiff neither opposed nor responded to the motion and by such failure tacitly confessed to the merits of the motion, thereby admitting that I am entitled to the relief requested in the motion. To date, the court has not made a ruling on the motion.

3. Plaintiff is not entitled to the Clerk's entry of default.

WHEREFORE, I request the court to strike the motion for entry of default and to vacate, set aside and declare the Clerk's entry of default void.

This 12 day of December 2007

Respectfully submitted,

  
Jane Joyce Rice

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of **DEFENDANT RICE'S MOTION TO STRIKE PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT AND TO VACATE, SET ASIDE, AND VOID CLERK'S ENTRY OF DEFAULT** was deposited in the United States mail and addressed to the following this 12 day of December, 2007.

Michael G. Pitman  
Trial Attorney  
U.S. Department of Justice  
P.O Box 683  
Ben Franklin Station  
Washington D.C. 20044-0683

  
Jane Joyce Rice